CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Mahoney
         Mayor Pro Tem Jeffery
         Trustee Wescott
         Trustee Coen
         Trustee White
         Trustee Tapey
         Trustee Bristow

APPROVAL OF AGENDA

Motion made by Trustee White seconded by Trustee Coen to approve the agenda. Motion carried 7-0.

PUBLIC COMMENT

None

CONSENT AGENDA

Any item listed on the Consent Agenda can be removed upon request from any member of the Town Board. For the benefit of our audience, the mayor will read the items remaining on the Consent Agenda prior to the Board's vote.

a. Payment Approval Report ($326,515.15)
b. April 4, 2023 Minutes
c. April 18, 2023 Minutes
d. Resolution 2023-17 Authorizing the Town Administrator to Negotiate and Execute a Professional Services Agreement for the Development of an Updated Comprehensive Plan with CTA Inc. DBA Cushing Terrell
e. Resolution 2023-18 Approving a Services Agreement for Pavement Striping and Markings with Kolbe Striping, Inc.

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ACTION ITEMS

a. Introduction of and setting for public hearing Ordinance 2023-682, Amending Article I of Chapter 18 of the Lochbuie Municipal Code by adopting by reference:
- The International Plumbing Code, 2021 Edition with amendments, published by the International Code Council; and
- The International Energy Conservation Code, 2021 Edition, published by the International Code Council at the address above, with amendments; and
- The National Electrical Code NFPA 70, 2023 Edition, as currently adopted by the State of Colorado; and setting forth in full the penalty provisions for violations thereof.

Maureen Juran, Town Attorney, stated that the action tonight is to set a public hearing date for Ordinance 2023-682. At the public hearing, any discussion and questions would occur, and SafeBuilt will be in attendance to help answer any questions.

Motion made by Trustee Coen seconded by Trustees Coen and Bristow to set a public hearing and consideration of Ordinance 2023-682 for May 16, 2023 at 6:30 pm at Town Hall and order the Town Clerk to publish notice of such hearing and ratify all past actions of Staff to provide timely notice of the public hearing in accordance with the requirements of state law. Motion carried 7-0.

DISCUSSION ITEMS

Mayor Mahoney called a recess at 6:37 PM to allow the board to go view the inside of Building B before the discussion.

Mayor Mahoney ended the recess and called the meeting to order at 6:45 PM.

a. Building B Usage Policy

Brian McBroom, Town Administrator, stated that if the board chooses, staff can amend the policy to broaden the use of the building.

After discussion, the board directed staff to work on a policy to allow more broad use of Building B for all Lochbuie residents, as well as added security, rental fees and deposits. When the policy is amended, it will be brought back to the board for approval.

b. 2023 Planning Retreat Date Selection

Brian McBroom stated that staff has started the 2024 budget process and we need to select a date to have a Board Planning Retreat. Staff’s preference for the retreat is late June, and we would like to consider having a facilitator help with the retreat.

After discussion, Saturday, June 24th, 2023 was selected as the date for the Planning Retreat.

MAYOR AND TRUSTEE COMMENTS

Trustee Tapay stated that when you are turning off of Freestone Street out of Silver Peaks, the road closed barricades cause cars to pull partially into the road to see traffic. She inquired if there was a way to move the barricades a little bit to help drivers.

Trustee White stated that they have the same issue with the traffic barricades on Jewel Street. She loved receiving the event postcard in the mail.

Trustee White moved to direct staff to draft reasonable regulations that will allow and address cultivating, manufacturing and sales of retail and medical marijuana, and their products, in the Town of Lochbuie. Trustee Bristow seconded the motion.
(At the request of Trustees, more detail of the discussion on this motion was added to the minutes. Minutes are only a summary of action taken.)

Trustee Wescott stated that in 2016 there was a ballot question asking voters if they would support the trustees taking action to regulate marijuana sales in town, and the measure failed, 1200 against and 1000 in favor. The residents were also asked in a community survey if they support the sale of marijuana and they ansered that they would not support it at that time. If the board is serious about this issue, the voters should be asked again.

Trustee Coen stated that we have gone to voters before to ask them what they think, and going against that is not in the spirit of why she was elected. She would support going back to the voters and asking them again, but won’t support overruling voters.

Mayor Pro Tem Jeffery agreed that the power should be kept with the voters. Working with adolescents who struggle with substance abuse she sees that there is a lot of work to be done before Lochbuie is ready for marijuana.

Trustee Tapey inquired if in previous years when this issue was on the ballot, if any measures were taken to educate voters or to get information dispersed. If this issue goes on the ballot again, there has to be more information shared, both pros and cons.

Maureen Juran, Town Attorney, stated that if the Town refers a question to the ballot, we cannot use Town resources to advertise for or against the issue.

Trustee Coen shared that the board has had marijuana professionals attend board meetings, on two occasions, to share information.

Maureen Juran reminded the board that the motion on the table is not whether to put a question on the ballot, but to direct staff to start drafting regulations.

Trustee White stated that any taxing would come later and would have to be a ballot question for the voters.

Roll Call vote was taken. Motion carried 4-3 (Jeffery, Wescott, Coen opposed).

Trustee Coen stated that her vote of no has nothing to do with whether or not she believes in a supports the issue, her opposition is to overruling the last word our voters gave us on this issue. She thanked Brian McBroom for his work on SB23-213, which is going through the House of Representatives today. She thanked everyone for the birthday wishes.

Trustee Wescott shared that she is concerned the board is putting their judgement ahead of what the voters have said they want for the Town. She does not believe that the board should be categorizing the reason the voters have said no on this issue, as we do not know if lack of education is the reason. The board should be careful of how they speak on this issue and listen to the residents who elected us.

Mayor Pro Tem Jeffery stated that she will not be at the next meeting so that she can attend her child’s school concerts. She thanked other board members who attended the last library board meeting. Since she has recused herself from negotiations on the Town side and the library side, there may be information that cannot be shared, but she was disappointed that the intent seemed to make the library board at fault and seeming like they will not negotiate.

Brian McBroom inquired if the board would like to attend Safety Day on Saturday, May 20th from 11:00 AM to 2:00 PM. If so, we can set up the Town booth and have some giveaways ready.

Consensus was that a few trustees could attend the event, and the Town will setup the booth.

Mayor Mahoney thanked Brian McBroom for all the updates on the items going through the state legislature. He is not happy when the Town is forced into making code changes, such as the electrical code.

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ADJOURN

Motion made by Trustee White seconded by Trustee Bristow to adjourn the meeting. Motion carried unanimously.

Mayor Mahoney adjourned the meeting at 7:25 PM.

*The Board may convene a lawfully called executive session at any time during a regular or special meeting of the Board.*

Heather Meierkort  
Town Clerk

Michael Mahoney  
Mayor

[Seal of Lochbuie 1974]

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